

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

POR MOUA,

Petitioner,

Civil File No: 14-3158 (JRT/SER)

v.

STATE OF MINNESOTA and
RAMSEY COUNTY,

Respondents.

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

Por Moua, 203392, MCF-Moose Lake, 1000 Lakeshore Drive, Moose Lake, MN 55767, *pro se* petitioner,

Peter R. Marker, **OFFICE OF THE RAMSEY COUNTY ATTORNEY**, 50 Kellogg Boulevard West, Suite 315, St Paul, MN 55102-1657, for respondent.

James Early and Matthew Frank, **MINNESOTA ATTORNEY GENERAL'S OFFICE**, 445 Minnesota Street, Suite 1800, St. Paul, Minnesota 55101, for respondent.

The above-captioned case comes before the undersigned on the Report and Recommendation of United States Magistrate Judge Steven E. Rau. No objections to the Report and Recommendation were filed within the requisite time period. Accordingly, **IT IS HEREBY ORDERED** that:

1. Petitioner Por Moua's application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 [Docket No. 1] be **DENIED**.
2. Moua's application for leave to proceed *in forma pauperis* [Docket No. 3] be **DENIED**.

3. This action be summarily **DISMISSED WITHOUT PREJUDICE** for lack of jurisdiction.

4. Moua not be granted a certificate of appealability.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: September 17, 2014
at Minneapolis, Minnesota.

s/John R. Tunheim
JOHN R. TUNHEIM
United States District Judge